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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT TACOMA

13 JAMES PHILLIP DOUGLAS,

14 Plaintiff,

15 v.

16 RON VAN BOENING *et al.*,

17 Defendants.

CASE NO. C09-5152RBL/JRC

ORDER DECLINING TO
CONSIDER PLAINTIFF'S
MOTION AND GIVING
PLAINTIFF UNTIL NOVEMBER
6, 2009, TO COMPLY WITH THE
COURT'S PRIOR ORDER

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19 This 42 U.S.C. § 1983 action has been referred to the undersigned Magistrate Judge
20 pursuant to 28 U.S.C. §§ 636 (b) (1) (A) and 636 (b) (1) (B) and Local Magistrates Judges' Rules
21 MJR 1, MJR 3, and MJR 4.

22 On September 2, 2009, the court entered an order granting defendant's motion for a more
23 definite statement (Dkt. # 22). The order gave plaintiff until October 2, 2009 to file an amended
24 complaint.

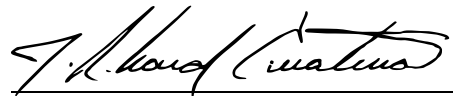
25 On September 3, 2009, plaintiff filed a "motion for partial summary judgment" (Dkt. #
26 24), but has not responded to the court's order. Defendants have responded to plaintiff's motion

1 for partial summary judgment and noted that the motion for a more definite statement was
2 granted (Dkt. # 25).

3 The court will not consider the plaintiff's motion for partial summary judgment at this
4 time and will not consider the motion until such time as plaintiff complies with its previous
5 order. Plaintiff will have until November 6, 2009 to comply with the court's order or the court
6 will recommend this action be dismissed for failure to comply with a court order.
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8 The clerk is directed to send plaintiff a copy of this order, remove Dkt. # 24 from the
9 court's calendar, and note the November 6, 2009 court deadline

10 DATED this 14th day of October, 2009.

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13 J. Richard Creatura
14 United States Magistrate Judge
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